

RETURN DATE: : SUPERIOR COURT  
TAMMIE SCHENKING,  
ANNE RUDGE-PINKHAM : J.D. OF NEW LONDON  
v. : AT NEW LONDON  
STEPHEN FRISCHLING : JUNE 7, 2017

**COMPLAINT**

**FIRST COUNT (Strict Liability pursuant to General Statutes §22-357 as to Tammie Schenking)**

1. At all times relevant herein, the Plaintiff Tammie Schenking was a resident of Waterford, Connecticut.
2. At all times relevant herein, the Plaintiff Anne Rudge-Pinkham was a resident of Niantic, Connecticut.
3. On or about April 6, 2017, and at all relevant times herein described, the Defendant, Stephen Frischling, was the owner and/or keeper of a black and white American bull dog mix.
4. On or about April 6, 2017, the Plaintiff Tammie Schenking was walking the Plaintiff Anne Rudge-Pinkham's dog, Shailor, on the sidewalk on Old Black Point Road in Niantic, CT, a public street; near the Plaintiff Anne Rudge-Pinkham's residence when the black and white American bull dog mix owned and/or kept by the Defendant attacked the Plaintiff Anne Rudge-Pinkham's dog. The Defendant's dog proceeded to bite the Plaintiff's dog and drag the dog along with the Plaintiff Tammie Schenking across the ground causing severe injuries as described herein.

5. At the time of the attack and the resulting injuries, the Plaintiff Tammie Schenking was not committing a trespass or tort or teasing, tormenting or abusing the dog and was a lawful pedestrian using the public sidewalk.

6. At the time of the attack, the Defendant's dog did not have its required vaccinations and shots, including but not limited to rabies vaccinations, in violation of General Statutes §§ 22-339b, 22-339c and 22-349. As a result, the animal control officer ordered the dog quarantined pursuant to state statutes and health department regulations.

7. The animal control officer also charged the Defendant with an infraction for roaming and for creating a nuisance.

8. The Defendant is strictly liable for the attack and resulting injuries in accordance with General Statutes § 22-357.

9. As a direct and proximate result of the attack by the Defendant's dog, as aforesaid, the Plaintiff Tammie Schenking sustained serious injuries to her neck, shoulders, ribs, left leg, right elbow and vocal cords. Furthermore, to treat these injuries, the Plaintiff was placed on various medications. In all probability, the injuries sustained by the Plaintiff will necessitate further care in the future and are permanent in nature. Moreover, it is likely the Plaintiff's injuries will be the source of continuing pain and disability.

10. As a direct and proximate result of the attack by the Defendant's dog, as aforesaid, the Plaintiff Tammie Schenking was required to spend various sums of monies for the medical care, treatment, drugs and travel necessitated by her injuries.

**SECOND COUNT (Negligence as to Tammie Schenking)**

1-7. The Plaintiff Tammie Schenking realleges and incorporates by reference paragraphs 1 through 7 of the First Count as if fully set forth herein.

8. The Defendant was negligent and careless in one or more of the following ways, in that he:

- a. Failed to keep and maintain his dog with reasonable care, permitting it to roam from his property;
- b. Failed to restrain his dog thereby permitting it to roam from his property;
- c. Knew or should have known of the vicious propensities of his dog and failed to control it;
- d. Knew or should have known of the vicious propensities of his dog and failed to warn the Plaintiff prior to the attack; and/or
- e. Permitted his dog to roam at large in violation of General Statutes § 22-364a, a statute designed to protect members of the public, including the Plaintiff, from the risk of being attacked and/or bitten by such an animal.

9. As a direct and proximate result of the attack by the Defendant's dog, as aforesaid, the Plaintiff Tammie Schenking sustained serious injuries to her neck, shoulders, ribs, left leg, right elbow and vocal cords. Furthermore, to treat these injuries, the Plaintiff was placed on various medications. In all probability, the injuries sustained by the Plaintiff will necessitate further care in the future and are permanent in nature. Moreover, it is likely the Plaintiff's injuries will be the source of continuing pain and disability.

10. As a direct and proximate result of the attack by the Defendant's dog, as aforesaid, the Plaintiff Tammie Schenking was required to spend various sums of monies for the medical care, treatment, drugs and travel necessitated by her injuries.

**THIRD COUNT (Strict Liability pursuant to General Statutes §22-357 as to Anne Rudge-Pinkham)**

1-7. The Plaintiff Anne Rudge-Pinkham realleges and incorporates by reference paragraphs 1 through 7 of the First Count as if fully set forth herein.

8. The Defendant is strictly liable for the attack and resulting injuries in accordance with General Statutes § 22-357.

9. As a direct and proximate result of the attack by the Defendant's dog, as aforesaid, the Plaintiff Anne Rudge-Pinkham's dog sustained serious injuries to its head, face and neck. Furthermore, to treat these injuries, the Plaintiff's dog underwent surgery and was placed on various medications. In all probability, the injuries sustained by the Plaintiff's dog will necessitate further care in the future.

10. As a direct and proximate result of the attack by the Defendant's dog, as aforesaid, the Plaintiff Anne Rudge-Pinkham was required to spend various sums of monies for the medical care, treatment, drugs and travel necessitated by her dog's injuries.

**FOURTH COUNT (Negligence as to Anne Rudge-Pinkham)**

1-7. The Plaintiff Anne Rudge-Pinkham realleges and incorporates by reference paragraphs 1 through 7 of the First Count as if fully set forth herein.

8. The Defendant was negligent and careless in one or more of the following ways, in that he:

- a. Failed to keep and maintain his dog with reasonable care, permitting it to roam from his property;
- b. Failed to restrain his dog thereby permitting it to roam from his property;
- c. Knew or should have known of the vicious propensities of his dog and failed to control it;
- d. Knew or should have known of the vicious propensities of his dog and failed to warn the Plaintiff prior to the attack; and/or
- e. Permitted his dog to roam at large in violation of General Statutes § 22-364a, a statute designed to protect members of the public, including the Plaintiff, from the risk of being attacked and/or bitten by such an animal.


9. As a direct and proximate result of the attack by the Defendant's dog, as aforesaid, the Plaintiff Anne Rudge-Pinkham's dog sustained serious injuries to its head, face and neck. Furthermore, to treat these injuries, the Plaintiff's dog underwent surgery and was placed on various medications. In all probability, the injuries sustained by the Plaintiff's dog will necessitate further care in the future.

10. As a direct and proximate result of the attack by the Defendant's dog, as aforesaid, the Plaintiff Anne Rudge-Pinkham was required to spend various sums of monies for the medical care, treatment, drugs and travel necessitated by her dog's injuries.

**WHEREFORE**, the Plaintiffs pray for:

1. Fair, just, and reasonable compensatory damages;
2. The costs of this action; and
3. Such other relief as the Court deems just and equitable

THE PLAINTIFFS,

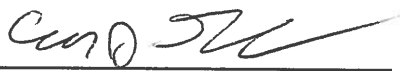
By:   
Ralph J. Monaco, Esq.  
Eric J. Garofano, Esq.  
Of Conway, Londregan, Sheehan  
& Monaco, P.C.  
Their Attorneys

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**STATEMENT OF AMOUNT IN DEMAND**

The amount, legal interest or property in demand, is in excess of Fifteen Thousand and 00/100 (\$15,000.00) Dollars, exclusive of interest and costs.

THE PLAINTIFFS,

By:   
Ralph J. Monaco, Esq.  
Eric J. Garofano, Esq.  
Of Conway, Londregan, Sheehan  
& Monaco, P.C.  
Their Attorneys